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IN RE: ARKANSAS SENATE DISTRICTS and)
ARKANSAS HOUSE DISTRICTS.)
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LARRY CRANE

9 My cohorts here are Christy Rogers,
10 with the Governor's office and Larry Crane,

11 with the Attorney General's Office.

12 We're here on behalf of our bosses, who
13 are members of the State Board of
14 Apportionment. The duties of the State
15 Board of Apportionment are going to be to
16 divide the state up into house of
17 representatives and senate districts as soon
18 as the census numbers come out.

19 What we're here for is to hear what you
20 all have to say about what you think the
21 criteria should be that the Board goes by in
22 drawing those districts in 2001.

23 I hope everybody got a copy of the
24 handouts that we had out front. There's a
25 sign-up sheet up there, too. I hope

2

1 everybody signs in.

2 We've got a court reporter here, taking
3 down what we're saying. The transcripts of
4 all these hearings -- this is the 14th or
5 15th and last hearing that we're going to

6 have before the Board -- well, before the
7 staff, actually, starts work on drawing
8 these maps.

9 Like I say, the court reporter is
10 taking down what we have to say. I'm going
11 to talk for a little bit and then give you
12 all an opportunity to give us some input.

13 When we do that, I'd appreciate if
14 everybody would state their name -- maybe
15 stand up, you know, and speak clearly so
16 that the court reporter can hear what you're
17 saying.

18 Again, we appreciate your being out
19 today.

20 MR. LARRY CRANE: Time line.

21 MR. TIM HUMPHRIES: Pardon?

22 MR. LARRY CRANE: Time line.

23 MR. TIM HUMPHRIES: Yes. The Board of
24 Apportionment has a website and we'll go
25 back to that -- www.state.ar.us/arkdistrict.

1 And we'll put that up again later in the
2 meeting so that anybody can write it down,
3 you know, if they miss it.

4 We encourage you to look at the
5 website. Those of you who are, like I am,
6 coming into the computer age four or five
7 years late, I guess, or even if you're well
8 versed in it, we encourage you to look at
9 it. I think there's a lot of good
10 information there.

11 There's also a comments page on the
12 website where -- and one thing that we
13 appreciate you doing is, as you go back to
14 your local communities, if you'd spread the
15 word that the website is there and, also,
16 that the comment page is part of the
17 website.

18 That's a place where anything that you
19 forget to say here or -- or your friends
20 want to say, they can go to that comments
21 page and not only post their own comments,
22 their own advice to the Board, but also to
23 look at other comments that have been posted
24 by other folks.

25 Another feature is the time line that

1 is another feature of our website. It shows
2 sort of a rough outline of how the process
3 is going to go. Starting back in last year,
4 Y2K, with the census, and the time line,
5 really, takes you all the way up to the
6 first legislative session in the year 2003.

7 The important dates, I think, for you
8 to keep in mind are -- we're likely to get
9 final census data sometime in March. We
10 expect it to come sometime between March 1
11 and April 1. It could cross us up and come
12 earlier, but it won't be later than April 1.
13 That's the deadline.

14 The next date we've got on here is
15 October 1, 2001, as being our -- our target
16 date, our hoped-for date, of filing a new
17 plan.

18 There's going to be a couple of more
19 dates, though, in the middle as things
20 develop here. We'll start work on the
21 actual plan as soon as we get the data.
22 It's going to take, maybe, up to a couple of
23 weeks to load it in and get the computers

24 ready to go and everything, but we'll start
25 work, you know, as soon as possible after

5

1 the data comes in.

2 We expect to be crunching the numbers
3 and drawing maps up until sometime in mid
4 May -- maybe late May sometime, at which
5 point, after we've got a proposed plan, or,
6 maybe, proposed plans, we'll put those on
7 the website. We'll send a copy of the maps
8 to each county clerk so that they can be,
9 hopefully, posted at the courthouse.

10 Then we'll schedule another round of
11 these hearings. We'll be coming back to the
12 various areas of the state that we've gone
13 to already. I can't promise we'll come to
14 Monticello, but we will come to southeast
15 Arkansas and all the other portions of the
16 state in the second round of hearings.

17 That round of hearings will probably be
18 more interesting to you. We'll probably

19 have more to talk about, obviously, when
20 we've got a proposed map. And we'll give
21 you as much notice as we can about when
22 those meetings are going to occur. But
23 we're looking at the time line of sometime
24 around June for the second round of
25 hearings.

6

1 Then, hopefully, late in the summer,
2 after that second round of hearings and
3 after which the Board of Apportionment will
4 probably give us, as staff members,
5 directions about what to do with the plan,
6 the Board of Apportionment -- the staff will
7 do that and then the Board of Apportionment
8 will come back late in the summer and start
9 having meetings towards adopting the final
10 plan.

11 Like I say, we hope to have it finished
12 up by October 1. One of the reasons for
13 that -- I guess the primary reason -- for

14 wanting that early date is to get all the
15 litigation out of the way and everything, in
16 the first place, before -- if there is any.
17 We don't know that there's going to be any.
18 But if there's litigation, we'd like to get
19 it all out of the way before the filing
20 period opens the next year.

21 Also, October 1 is a good time because
22 a person who wants to run in a district
23 would maybe need to move across the street
24 or something like that. They will have had
25 to do that by one year before the general

7

1 election in 2002.

2 So sometime in November -- early in
3 November, they will have had to make that
4 move. October 1 doesn't give somebody much
5 time to make a consideration like that, but
6 there's some leeway involved and, who knows,
7 we might could get it done earlier.

8 One of the handouts that I gave you,

9 the one with the numbers on it, is really
10 just -- it's kind of an interesting thing to
11 look at, but don't put any stock in it at
12 all, because we know it's wrong.

13 The Census Bureau released, just a
14 couple of weeks ago, the actual count
15 numbers in the State of Arkansas -- not
16 giving county breakdowns, not anything
17 broken down below the state level, but they
18 actually -- but they've been able to tell us
19 that their actual count shows that the total
20 population of the state was 2,673,400. That
21 was in the newspapers here lately.

22 Again, that's their actual count, and
23 you can see that that varies pretty
24 substantially -- fairly substantially from
25 this July 1, '99, estimate that they had for

8

1 the total population then.

2 Our rate of growth was 13 percent.

3 This estimate has a rate of growth of eight

4 and a half percent. So you can see that the
5 actually count number is pretty much -- it's
6 pretty substantially different from this.

7 Again, the reason we're giving this out
8 -- and we've given it out on all our other
9 stops and we didn't see any reason to stop
10 after we found out that the number was way
11 wrong -- it's just to sort of give you an
12 idea -- it may validate something you
13 already suspect about population shifts in
14 the state.

15 It may make you think, well, they got
16 that all wrong, that just can't be right.
17 We've heard that in some parts of the state,
18 too, but again, it just gives you something
19 to sort of gauge.

20 And it's important to know gains and
21 losses. I mean, it's important -- all we
22 can know at this stage is just have a
23 general idea of what areas of the state have
24 gained population and lost population. And
25 this sort of helps you do that.

1 But the reason that's important is
2 because with that number that I just gave
3 you, to draw a house of representatives
4 district, to get the ideal district size --
5 that is, the size is basically the average
6 of 100 house of representative districts,
7 that number is going to be 26,734, according
8 to that actual count number.

9 The ideal size of a senate district
10 will be 76,382, according to that number.

11 Now, what that means -- the reason that
12 has some meaning in this regard is because
13 back in '91, when these districts were
14 drawn, the ideal house district size was
15 like 23,500. The ideal senate district size
16 was something like 67,000, 68,000 -- between
17 67,000 and 68,000.

18 So that means that each district is
19 going to have to grow by approximately 3,000
20 folks, just because of our population growth
21 in the state. In each district, you're
22 going to have to find approximately 3,000
23 folks to put into each district.

24 Each district has to be roughly equal
25 in size to all the others. It's a

1 constitutional requirement. You're probably
2 aware of the one-person-one-vote rule that
3 says that within a variance of ten percent,
4 all the districts have to be equal.

5 Now, you've got some wiggle room.
6 You've got some room to play with, ten
7 percent, but you only get the presumption of
8 constitutionality if your districts are
9 within ten percent of each other.

10 So what was done in '91 was to make the
11 districts, those that were above the ideal
12 district size, the bigger ones, they kept
13 them at five percent or below. And the ones
14 that were below the ideal district size,
15 they kept them at minus five percent. And,
16 you know, I think the percentages -- I think
17 the variance in this plan was something like
18 9.7 percent.

19 I can see Ernest is doing the numbers
20 on how big it could be and how little it
21 could be, and I haven't done that, you know,
22 on this number, because I just got it.

23 We used computer software the last
24 time, in '91, but it doesn't even exist any
25 more -- it's a dinosaur compared to what

11

1 we've got now, auto.Bound Redistricting
2 Software, in case anybody is interested in
3 that. We may have some local county
4 election officials or something like that
5 here who are charged with the task of
6 drawing justice of the peace districts. You
7 know, software like this can do a great
8 deal.

9 Now, our office is going to offer the
10 use of and some technical assistance with
11 this software to the various county boards
12 of election in drawing their justice of the
13 peace districts. That will come after we
14 get through with our work on it.

15 Those JP districts will need to be done
16 sometime in January of 2002, so there is a
17 definite deadline on those. They usually do

18 those after this is done, anyway, though. I
19 don't know if -- is there anybody here
20 that's a member of an election commission
21 that's ever been involved in that?

22 All right. But again, auto.Bound
23 Redistricting Software. It runs on an Esri
24 -- it's an Esri product that runs on an
25 ArcView platform. I hope somebody out there

12

1 knows what that means, because I don't. I
2 do know how to operate it, though.

3 It's basically a GIS software. This
4 auto.Bound Redistricting is an add-on to
5 ArcView that allows you to do the
6 redistricting functions a lot easier.

7 What am I forgetting, Larry? Can you
8 think of anything else I need to add?

9 MR. LARRY CRANE: Contacts.

10 MR. TIM HUMPHRIES: Yeah, contacts.
11 Can you find those?

12 If you want to contact any of us, any

13 of our offices, those contacts can be found
14 on the website. This is in addition, of
15 course, to the comments page on the website.
16 We've got e-mail addresses, we've got phone
17 numbers.

18 The phone number at the Board of
19 Apportionment office is 501-682-4592.
20 There's the fax and there's an e-mail
21 address down there --
22 aba@sosmail.state.ar.us. That's our Board
23 of Apportionment office.

24 We have it set up over at the Aegon
25 Building across the street from the Capitol

13

1 there in Little Rock, and Ron Sheffield is
2 the director for the reapportionment effort.
3 And again, that's their number -- the phone
4 numbers.

5 MR. LARRY CRANE: Are there any of
6 those other links off of the resource page?

7 MR. TIM HUMPHRIES: We've got several

8 links on our web page. They have a lot of
9 good information. Like I said, there's a
10 lot of good information about Arkansas'
11 redistricting effort on the web page. But
12 you can get a general -- of course, there's
13 the websites for all the state officials
14 that are involved in it.

15 And you can link to this web page from
16 any of our -- the Governor, ours, or the
17 Secretary of State's websites -- but this is
18 one that would be of particular interest to
19 anybody involved in this, I think. The NCSL
20 -- National Conference of State Legislators'
21 website -- it's a real good one. They've
22 got a lot of information over there.

23 And this is an old list. We've added a
24 number since then, so there's a bunch of
25 this stuff there.

14

1 Okay. I guess I'll just open it up to
2 anybody that's got any questions or any

3 comments.

4 Ernest?

5 MR. ERNEST BROWN: Ernest Brown,
6 attorney, Pine Bluff, Arkansas, President of
7 the Pine Bluff branch of the NAACP.

8 Just a couple of questions. One, on
9 the proposed -- I guess page that you have
10 here -- when will the redistricting occur
11 that the legislature does and then the local
12 redistricting? How will they --

13 MR. TIM HUMPHRIES: Okay. Now, the
14 legislature does congressional
15 redistricting.

16 MR. ERNEST BROWN: I'm talking about --

17 MR. TIM HUMPHRIES: You're talking
18 about --

19 MR. ERNEST BROWN: I know that the
20 election -- the new plan in March 19,
21 2002 --

22 MR. TIM HUMPHRIES: Right.

23 MR. ERNEST BROWN: So -- the folks are
24 running.

25 MR. TIM HUMPHRIES: And that will be

1 the case with congressional and JPs and
2 whatever --

3 MR. ERNEST BROWN: I'm just saying --
4 will it be on local JP races and all the --

5 MR. TIM HUMPHRIES: Right.

6 MR. ERNEST BROWN: How will that be
7 plugged into the --

8 MR. TIM HUMPHRIES: Right. Well, one
9 thing that we're trying to do with regard to
10 that is get all the JP maps in a central,
11 computerized form in our office and put them
12 out on the Internet so that when you're down
13 here in Drew County and you want to know
14 what JP district you live in and you've got
15 access to the Internet, you can click on it
16 and you can actually -- it'll tell you. It
17 will show you the map of the JP districts in
18 Drew County.

19 But the JP districting will probably
20 occur after we get through with our -- after
21 we get through with the legislative
22 districting. That's what's happened in the
23 past.

24 And the reason for that is that we want
25 to -- it doesn't have to -- the counties

1 don't have to wait for us, but if they do
2 that, it really helps with the county
3 election commission -- it helps them in
4 drawing up precincts, because they can try
5 to put those lines on legislative lines, to
6 the extent possible, and cut down on the
7 number of crossing lines.

8 MR. ERNEST BROWN: So it can be piggy-
9 backed, based on what your --

10 MR. TIM HUMPHRIES: Probably, yeah.
11 You know, we're not -- they're not bound to,
12 you know, to use ours, but it's usually a
13 good practice, you know, to look at ours and
14 try to make those lines match as much as
15 possible. You know, you can't do it all the
16 way, but match them up as much as possible,
17 just because it cuts down on the number of
18 precincts when you do that.

19 Again, though, we're offering technical
20 assistance to counties to help in that

21 regard, and there's a lot of other technical
22 assistance out there, really.

23 MR. ERNEST BROWN: The local -- you
24 said the local election commission will be
25 doing that on a county-by-county basis?

17

1 MR. TIM HUMPHRIES: Right.

2 MR. ERNEST BROWN: Usually, they're
3 responsible for that?

4 MR. TIM HUMPHRIES: Right. And that's
5 got to be done -- yeah, by the county
6 election commission. And that's got to be
7 done by -- it's sometime in January -- the
8 middle of January, I think, of 2002.

9 They don't have that residency
10 requirement -- that year-in-advance
11 residency requirement that legislators have.

12 Yes, sir?

13 MR. ANDREW CARR: Andrew J. Carr, NAACP
14 representative from Pine Bluff, Arkansas. I
15 want to know how the legislature gains their

16 information. Do they get it from your --
17 from the literature that you've got out
18 here?

19 MR. TIM HUMPHRIES: Right. Well, I
20 mean, the legislature, really, is not
21 involved in this process. It is strictly
22 the Board of Apportionment -- the Governor,
23 the Attorney General and the Secretary of
24 State are the Board of Apportionment and
25 they're the ones that actually draw the

18

1 lines. Right.

2 We get our numbers from the Census
3 Bureau and the numbers and all the data that
4 we have is also available through the State
5 Data Center at the University of Arkansas at
6 Little Rock.

7 MR. ANDREW CARR: Okay.

8 MR. TIM HUMPHRIES: Yes, ma'am?

9 MS. SHIRLEY CREASEY: Good morning and
10 happy new year.

11 MR. TIM HUMPHRIES: Happy new year.

12 MS. SHIRLEY CREASEY: My name is
13 Shirley Creasey and I'm here representing
14 ACORN, which stands for Association
15 Community Organizations for Reform Now.

16 We are a non-profit organization
17 representing low-to-moderate income people.
18 We are very happy that you are involving the
19 public in this process.

20 We are here to listen and learn;
21 however we want to recommend that you not
22 make any changes to those districts that are
23 African-Americans. It is very important to
24 those communities that their representatives
25 reflect their views.

19

1 We look forward to working with you and
2 will offer any assistance that we can to
3 help in this proceeding.

4 MR. TIM HUMPHRIES: Thank you.

5 Yes, sir?

6 MR. ADAM HARRIS: Good morning. I'm
7 Adam Harris, Executive Director of the
8 Monticello Economic Development Commission.
9 My question is if a special census is
10 conducted by a city and is completed before
11 this is approved, can that go into
12 consideration of the district?

13 MR. TIM HUMPHRIES: If -- probably not.
14 I mean, our database is pretty discrete and,
15 you know, there are a lot of difficulties in
16 that. There really is. Is Monticello going
17 to have a special census, do you believe?

18 MR. ADAM HARRIS: There's talk.

19 MR. TIM HUMPHRIES: Right.

20 MR. ADAM HARRIS: So we're -- there's
21 talk of doing that.

22 MR. TIM HUMPHRIES: Does the Census
23 Bureau give you any hope that it could be
24 completed before the release date?

25 MR. ADAM HARRIS: No.

1 MR. TIM HUMPHRIES: Okay. I would kind
2 of be surprised if they could. I don't
3 really know for sure. I mean, would that be
4 an interest that the city would have? You
5 know -- I know you use that for a lot of
6 other things.

7 MR. ADAM HARRIS: Absolutely.

8 MR. TIM HUMPHRIES: But would the city,
9 you think, and the area here be interested
10 in using that data for legislative
11 redistricting?

12 MR. ADAM HARRIS: I would assume so,
13 particularly where it would increase the
14 population more than what's on the
15 projections.

16 MR. TIM HUMPHRIES: I guess -- I guess
17 I'll just say that we'll take that under
18 advisement. That's not an issue that's come
19 up before. I'm glad you've mentioned that,
20 though.

21 MR. LARRY CRANE: Also, please note
22 that the projections -- we know they are
23 low.

24 MR. TIM HUMPHRIES: Right.

25 MR. LARRY CRANE: What's on that

1 handout, that's low. It underestimated from
2 eight percent growth to 13.8 percent growth,
3 so there's a significant difference between
4 what the actual numbers that the Census
5 Bureau has in its hand and what's on that
6 page.

7 MR. ADAM HARRIS: Thank you.

8 MR. TIM HUMPHRIES: I'm an '80 graduate
9 of UAM, and I can tell you, there's a lot
10 more stuff out there on the highway than
11 there used to be back then. No doubt about
12 it.

13 Anybody else?

14 Yes, sir?

15 MR. BOOKER CLEMONS: I'm Booker T.
16 Clemons, state representative. I'd like to
17 compliment you on what you're doing;
18 however, I have one problem. Considering
19 the audience here today, most the people are
20 from Pine Bluff.

21 My request is that the next hearing
22 meeting you try to come a little farther
23 north. We have six representatives in
24 Jefferson County. I feel that a meeting in

1 MR. TIM HUMPHRIES: That's duly noted,
2 and really, I suspect the next round of
3 hearings is going to include Pine Bluff.
4 We're just trying to get everybody -- you
5 know, we're trying to take care of everybody
6 here.

7 MS. SHIRLEY BONDON: Shirley Bondon,
8 Pine Buff branch of NAACP. I have a
9 question about the majority/minority
10 judicial districts and how they evolve and
11 will they be protected?

12 MR. TIM HUMPHRIES: I think that we can
13 safely say that they will be protected. I
14 mean, there's going to be an effort to draw
15 -- to continue majority/minority districts.
16 I don't think there's any doubt about that.

17 How they'll be drawn is impossible to
18 know at this time, until the numbers
19 actually come out.

20 MS. SHIRLEY BONDON: Is that part of
21 what you're doing here, the judicial --

22 MR. TIM HUMPHRIES: Oh, judicial -- oh,
23 I'm sorry. I'm sorry. I missed that. The
24 judicial districts, no, it's not part of
25 what we're doing here.

23

1 But we are -- one of the things that
2 we've got to do with judicial districts is
3 get better maps of the judicial
4 subdistricts. We don't have good maps.

5 And so as part of -- it's a project of
6 the Secretary of State's office to get good
7 judicial maps out there on the Internet and
8 just nailed down to computerized form.

9 You know, it could be, after this
10 process is over that you'll look at those
11 and want to adjust those lines somewhat to
12 match with whatever new lines come out of
13 the new district.

14 MS. SHIRLEY BONDON: But who will do

10 question.

11 Anybody else? We've got some
12 newcomers. I hope you all got the handouts
13 and everything? Very good. You can ask
14 Ernest what the deal is.

15 MR. ERNEST BROWN: You asked for
16 questions and comments. One of my questions
17 -- and I have a comment -- is you mentioned
18 you have computer programs, and I think
19 that's good. Can you demonstrate yours,
20 maybe how this works?

21 MR. TIM HUMPHRIES: Yes.

22 MR. ERNEST BROWN: And my comment would
23 be -- is I hope that the process won't be
24 limited to putting numbers in the computer
25 and not taking into account the people that

25

1 actually live in the drawn lines, because I
2 know some of the complaints in areas like
3 Pine Bluff and other areas is that you split
4 people -- split counties up and you may have

5 a representative -- you may split a county
6 up three or four ways -- that a
7 representative may not be in that particular
8 county and they may not have representation.

9 So hopefully, those type of people have
10 to be taken into account when the numbers
11 are put in on that.

12 Then also, with this potential increase
13 in numbers -- and I did see it was about
14 300,000 on the census count -- how will the
15 variances be determined? I mean, what are
16 you all looking at? What are the factors
17 that go into determining the variances like
18 the ten percent up and down and five percent
19 up and down?

20 MR. TIM HUMPHRIES: Right.

21 MR. ERNEST BROWN: What will the Board
22 use on making those determinations?

23 MR. TIM HUMPHRIES: That's just
24 strictly a mathematical calculation. You
25 multiply -- for instance, in the senate, you

1 multiply 76,382 by .05 and that gives you
2 the number that you subtract or add to
3 76,382 to get your absolute lowest or your
4 absolute highest.

5 MR. ERNEST BROWN: But what I'm saying
6 is, how will -- if you just take straight
7 numbers and divide them -- 26,734 for a
8 house district or 76,382 for a senate
9 district -- how will you know, in a certain
10 situation, whether or not you will adjust?
11 For instance, in Pine Bluff, you say that
12 the --

13 MR. TIM HUMPHRIES: Our computer tells
14 us. Right.

15 MR. ERNEST BROWN: So, say we're
16 shaving 2,000 here, and then this other
17 district may have --

18 MR. LARRY CRANE: Ernest, there's a
19 line on the data here on deviations that
20 runs how far that particular district is
21 from the desired average.

22 MR. TIM HUMPHRIES: And that's based on
23 the '90 numbers. What we've got in the
24 computer now is the '90 numbers.

25 When the '01 numbers come out, these

1 numbers are all going to be different,
2 because every district, I guarantee you,
3 will have either gained population or lost
4 population to a certain degree. So all
5 those numbers are going to be different.
6 All these deviation numbers are going to be
7 different.

8 MR. ERNEST BROWN: Do you have a
9 printout of that, or is that just --

10 MR. TIM HUMPHRIES: Uh-huh. Yeah. I
11 don't have it with me, but yeah, we've got
12 that.

13 MR. ERNEST BROWN: And we signed up on
14 the list -- will there be like a mailing
15 list to get those?

16 MR. TIM HUMPHRIES: I don't know that
17 we'll have a mailing list. I encourage you
18 to keep up with the website, because we will
19 post all our meetings on the website.

20 We're going to give better notice next
21 time in the form of, probably, paid
22 advertising for our next round of meetings,

23 just to make sure that everybody gets
24 notice. And, you know, we'll do whatever we
25 can to give notice and we'll send press

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1 releases again. We'll do whatever we can to
2 give notice.

3 I don't know that we'll have a mailing
4 list, but I don't know that we won't. I
5 mean, next time, it's going to be real
6 important to make sure you people know about
7 this.

8 MR. ERNEST BROWN: So what you have
9 there now, you took the '90 numbers and are
10 kind of working on that toward 2000 --
11 trying to maintain what we have and see what
12 the variances are for the --

13 MR. TIM HUMPHRIES: Right.

14 MR. LARRY CRANE: This is essentially
15 just to have something to work with at all
16 to practice on. We just took the '90
17 numbers and '91 numbers and loaded them into

18 the computer. And we will not be using
19 those numbers at all during the process.

20 But just to carry that one step
21 further, what we will use from the '91
22 redistricting is that the starting point
23 will be those maps -- will be the existing
24 districts as they are today, and then we
25 will adjust them, going through, as

29

1 population changes require.

2 We will not start with a blank piece of
3 paper and try to build the whole thing.

4 MR. ERNEST BROWN: That's what my
5 question was. Okay.

6 MR. LARRY CRANE: Because we just
7 can't. It would be more than I'd certainly
8 want to take on to try and do that, and keep
9 in mind the considerations that you have to
10 of communities of interest and incumbency
11 and traditional voting patterns and those
12 things that are already built into the way

13 it's being done now.

14 MR. TIM HUMPHRIES: Yes, ma'am?

15 MS. SHIRLEY BONDON: Shirley Bondon
16 again. Can you give me some rationale for
17 why you use total population as compared to
18 voting-age population for redistricting?

19 MR. TIM HUMPHRIES: Total population is
20 what the courts require. I mean, that's
21 pretty simple. So the question is why you
22 use total population instead of voting-age
23 population in determining the variance?
24 Yes, the courts require the use of total
25 population.

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1 Voting-age population is used -- it's
2 not on here now, but when we -- when we're
3 actually doing this, we will have voting-age
4 populations broken down by race on this list
5 as well.

6 Christy, if you'll put that back into
7 74, we'll show -- hold on just a second.

8 Okay. Now, what Christy is going -- she's
9 going to assign this precinct into --

10 MR. LARRY CRANE: From 82 to 74?

11 MR. TIM HUMPHRIES: Yeah, from District
12 82 to 74, and let's pretend like we're going
13 through and doing this and we see that we
14 need more people in 74 and less in 82.

15 Just with that click of the mouse, the
16 precinct has gone from that district to the
17 other and these numbers will have been
18 adjusted.

19 MR. LARRY CRANE: And one difference in
20 the process this time from last time is that
21 last time, the building block for all of
22 this was the township, which is fairly -- in
23 some places, is a fairly large area.

24 This time, the Census Bureau is going
25 to give us precinct-level information and

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1 they're going to actually give block level.

2 But the basic building block for

3 everything that we do will be the precinct
4 level, so we'll be able to do a finer detail
5 of drawing lines. They may not look quite
6 as strange as they do now.

7 And hopefully, we'll be able to do a
8 better job of keeping track of communities
9 of interest or major landmarks through
10 cities and stuff like that.

11 MR. ERNEST BROWN: Can you clarify what
12 -- you say township. Does the township
13 level not break it down to actual precincts?

14 MR. LARRY CRANE: Right.

15 MR. TIM HUMPHRIES: We had precincts
16 last time and it -- in Pine Bluff, we used
17 precincts. But our basic building block was
18 the township. And what they basically did
19 was get a township map of Arkansas and draw
20 the lines on the township map.

21 We're using precincts instead this time
22 and -- because we ran into some problems in
23 other parts of the state about splitting
24 small cities that we didn't mean to split
25 because we were using townships. And so,

1 for that reason, we're using precincts.

2 You know, for the most part, these
3 rural precincts are the same as township
4 boundaries. I don't know that this one is,
5 but the odds are, you know, it's a township.

6 As a matter of fact, one feature I can
7 show you, how many people Christy moved from
8 District 82 to 74 just then -- Christy, if
9 you'll click on that little eye thing, yes,
10 and then bring it on down -- it will show
11 you that -- go up just a little bit -- it's
12 probably a Bartholomew York precinct, so
13 that's probably that township, too. And the
14 total population it shows is 699. And if
15 you go down some, you can see the age --
16 voting age is on there as well.

17 So those numbers are available to us
18 instantaneously with a click of a button
19 when we move a precinct like that out of a
20 district to a new district. And we'll see
21 on our little chart there what's changed
22 with regard to total population and total
23 population by race and total population by
24 age -- by voting age, by race.

25 You know -- I mean, it's -- one of the

1 difficulties in doing this job this time is
2 going to be the increase in population.
3 Arkansas has grown by 13 and a half percent,
4 and that's good. You saw the map in the
5 paper, we outgrew almost all our neighbors,
6 except Texas. That's a good thing.

7 But in areas like down here, where
8 you've either -- by that chart -- where
9 you've either held your own or lost
10 population, you can see what that means when
11 you've got to find 3,000 more people to put
12 into a district. That means that the
13 boundaries are going to have to get much
14 bigger geographically, whereas up here,
15 these boundaries are going to get much
16 smaller, geographically. Benton and
17 Washington Counties, between them, have
18 picked up enough population -- they've
19 picked up -- I think it's 80,000.

20 Yes, sir?

21 UNIDENTIFIED SPEAKER: You may have

22 already said this -- do you all have an
23 estimate on how many -- on what the total
24 population for a senate or house district is
25 going to be?

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1 MR. TIM HUMPHRIES: Right. And it's
2 just an estimate, but the actual population
3 number was 2,673,400. That was released by
4 the Census Bureau for the new year.

5 And the ideal senate size would be
6 76,382 and the ideal house size would be
7 26,734. That number will probably change,
8 but I don't think it will change by much.

9 You say how will it change -- I mean,
10 that's the actual number that they gave us
11 -- it will probably change because right now
12 the Census Bureau is committing to releasing
13 an adjusted number.

14 I mean, presumably, that's what all the
15 states are going to get, is adjusted
16 numbers, and so they're going to adjust off

17 that number to account for people who
18 weren't counted. That's their plan right
19 now.

20 There's a new president. The president
21 who was in office in '91 decided that they
22 weren't going to release adjusted numbers at
23 all, so, you know, it's impossible, really,
24 to know exactly what will happen now.

25 But the Census Bureau plan today is to

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1 release the adjusted number. And so, like I
2 say, there will be some -- it will be bigger
3 than that, somewhat. It's impossible to
4 know how much. I don't think a whole lot,
5 but the bigger it gets, the harder our job
6 gets down here, you know, in keeping areas
7 as compact as possible and finding the
8 number of people that we're going to need to
9 meet the population requirement.

10 Ernest?

11 MR. ERNEST BROWN: You all mentioned

12 about the adjusted -- let me ask you this.
13 We are here to voice our concerns to the
14 Board of Apportionment. Who do we need to
15 talk to on a local level to talk about --
16 you know -- aldermen seats and things like
17 that -- JP seats -- and get plugged into
18 that process? We definitely should be kept
19 on top of that.

20 MR. TIM HUMPHRIES: Cities draw their
21 wards, so the city councils will draw their
22 own. If they're elected by ward, it's the
23 city councils that are responsible for
24 drawing their wards. JPs are responsible --
25 I mean county election commissions are

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1 responsible for drawing JP districts. There
2 are some school districts in the state that
3 have zoned elections where you elect members
4 of the school board by zone. That's the
5 responsibility of the school districts
6 themselves.

7 Again, if there are any county election
8 officials here, city folks, school folks, we
9 are going to do our best to offer technical
10 assistance to various areas around the
11 state, maybe even including here at UAM.

12 UAM has what I understand to be a very
13 good GIS program and we hope maybe to be
14 able to use them as an area where people can
15 go to get -- where local governmental
16 entities can go get help.

17 MR. ERNEST BROWN: What kind of time
18 frame do we need to use to contact them and
19 make sure we review the maps on where the
20 lines are drawn and what have you?

21 MR. TIM HUMPHRIES: I would wait until
22 the numbers come out and keep talking to
23 them. As far as the time frame of
24 contacting cities and counties about that,
25 I'd wait until the numbers come out and then

1 be talking to them about what they intend to

2 do.

3 Our experience is that a lot of those
4 governmental entities at a smaller level
5 tend to just wake up one morning and say oh,
6 gosh, we've got to -- we have to draw
7 districts here.

8 MR. ERNEST BROWN: That's what concerns
9 me --

10 MR. TIM HUMPHRIES: Right.

11 MR. ERNEST BROWN: -- is there is just
12 kind of --

13 MR. TIM HUMPHRIES: Yes, it does. It
14 does jump up on you. There's going to be --
15 there was in '91 and there will be this
16 time, a lot of publicity about this process
17 at the state level. That usually serves as
18 sort of a wake-up call to folks at the local
19 level.

20 They don't have to have theirs done as
21 early as we do, and so, you know, they can
22 wait until January -- early in the year 2002
23 to get those things done, but you don't want
24 to wait too long.

25 Again, if there are any county election

1 officials here, you need to be thinking
2 about it now, you know. You definitely need
3 to be thinking about it and planning for it
4 now.

5 And you had asked a question about
6 congressional districts a minute ago. The
7 state, as was reported in the newspaper last
8 week, will again have four members of
9 Congress to elect and so there will be four
10 congressional districts. Those will be
11 drawn by the general assembly. Our Board
12 does not draw those districts.

13 The general assembly, when the numbers
14 come out in March or whenever, will take
15 those numbers and divide the counties up
16 into four congressional districts, hopefully
17 sometime before their session ends, if the
18 numbers come out. The session -- the
19 legislative session starts next week and
20 usually runs through sometime in April. So
21 we can see that if the numbers don't come
22 out until mid March, they've got a real
23 short time line to do that.

24 It's a little bit easier, because for

1 are just groups of -- and always have
2 been -- just groups of counties. So that's
3 just about it, moving counties around.

4 MR. ERNEST BROWN: Does that mean that
5 the four districts will change --

6 MR. TIM HUMPHRIES: Oh, there's no
7 doubt about it. You know, like I say, these
8 numbers are not right. They are definitely
9 wrong. So if the population -- everybody
10 sitting here knows that the population gain
11 up here has been a lot -- has been
12 tremendous. And the population gain in the
13 counties surrounding Pulaski County has been
14 very high, as well. And, you know, what
15 that means for the Fourth Congressional
16 District is that, yes, they're going to have
17 to lose some counties here, and so they're
18 most likely going to go up to the first
19 and\or third.

20 Yes, sir?

21 MR. JACK FOSTER: I apologize for being

22 late --

23 MR. TIM HUMPHRIES: That's okay.

24 MR. JACK FOSTER: I may have missed

25 something --

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1 MR. LARRY CRANE: Your name, sir?

2 MR. JACK FOSTER: Pardon?

3 MR. LARRY CRANE: What's your name?

4 MR. JACK FOSTER: Jack Foster. We have

5 some majority black districts in Pine Bluff.

6 And there has been instances of white flight

7 in Pine Bluff. The question I have is -- I

8 know that people do strange things and I

9 want to know if this group has any idea

10 which way those lines are going to go

11 because of the fact that, I don't know, we

12 have four, maybe five state representatives

13 that come from Pine Bluff. Okay. And

14 they've got some wiggley lines on the map.

15 So what I'm saying is, is that going to
16 be given some kind of special attention when
17 that time comes? I don't know what the
18 voting-age population was in the 1990
19 census, but are we going to try to stay
20 within that framework we had in '90 as to
21 what those lines are going to be? Because
22 I've heard of strange things happening.

23 If we've lost as many people in the
24 City of Pine Bluff as they say we've lost,
25 there may be a possibility that we have some

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1 concerns about that.

2 And I want to raise the issue now,
3 before I take my seat -- I was looking at
4 the sign-in sheet as I came in. Somebody
5 needs to do something about a meeting in
6 Pine Bluff. The majority of these people
7 here are from Pine Bluff, so I don't know
8 why we skipped Pine Bluff this time around.

9 MR. TIM HUMPHRIES: Like I said, we're

10 just trying to get around to everybody.
11 There's going to be a second round of
12 hearings and I expect there will be one in
13 Pine Bluff then.

14 On the issue of how we're going to draw
15 the districts in Pine Bluff, there's no way
16 to know that until the numbers come out in
17 March. I don't know. I don't know what the
18 situation is going to be in Pine Bluff.

19 Like we were just talking about, we're
20 going to have to find 3,000 more people,
21 roughly, for each district, and that's in
22 districts that haven't lost any people.

23 So there's -- I don't have any doubt
24 that the lines are going to change. How
25 drastically they change depends on what the

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1 -- what the population actually did in the
2 city. You know, did the city shrink in
3 population, did it lose people in certain
4 wards, gain people in other wards, those

5 kinds of things. It's impossible to know
6 how that's going to happen until we get the
7 -- until the numbers come out in March.

8 MS. SHIRLEY BONDON: Shirley Bondon. I
9 just want a clarification. Did I understand
10 you to say that the city council draws the
11 city lines?

12 MR. TIM HUMPHRIES: I think that's
13 right.

14 MS. SHIRLEY BONDON: Isn't that a
15 conflict?

16 MR. TIM HUMPHRIES: You know, it does
17 seem that way. It certainly seems that way,
18 but, you know, in every other state but
19 Arkansas -- well, not in every other
20 state -- there are a couple of them that
21 have divisions like this.

22 But in almost every state in the union,
23 it's the legislature that draws their own
24 lines. It's not -- they don't have a
25 commission like we do. In almost every -- I

1 mean, in almost every state it's the
2 legislature that does it.

3 So it's not unusual for that to happen,
4 but -- and it does -- I don't see how they
5 get it done at that level, dealing with that
6 many people, but, you know, at the local
7 level, yes. I know for a fact that the
8 school boards do theirs and I'm pretty sure
9 that the cities do their own, too.

10 Yes, sir?

11 MR. ANDREW CARR: Carr, Andrew J. The
12 -- I understand the city is responsible for
13 precincts -- picking precincts, that the
14 county is responsible for JP districts. Who
15 is responsible for the circuit judges?

16 MR. TIM HUMPHRIES: The legislature
17 draws the judicial circuits. And the
18 judicial circuits themselves are just groups
19 of counties, or a county, like in -- you all
20 are Jefferson and Lincoln County and
21 Arkansas County is a one-county judicial
22 district.

23 But in your judicial district, you have
24 two subdistricts. And those are drawn with
25 the approval of the federal district court

1 as part of the Hunt Consent Decree, so
2 that's -- in your district and in District
3 10 and Judicial District 1, 2 and 6 -- they
4 have subdistricts. Those were done by the
5 court and can only be undone by the court.

6 Anybody else?

7 MR. LARRY CRANE: We're also here to
8 receive comments on what you like and what
9 you don't like. We've answered a lot of
10 questions, but we haven't heard that many
11 comments. So if anyone has anything they
12 would like to get on the record to the Board
13 of Apportionment, this is a good time to do
14 it.

15 MR. TIM HUMPHRIES: If not, like I say,
16 use our website, our comments page, e-mail
17 us, call us, write us a letter. We'll be
18 happy to visit with you. Thanks for coming
19 out.

20 (Whereupon, the taking of the above-
21 entitled public hearing was concluded at

22 10:57 a.m.)

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1 SIGN-IN SHEET.

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1 ATTACHMENT .

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C E R T I F I C A T E

STATE OF ARKANSAS)
) ss.:

COUNTY OF PULASKI)

I, Sharon A. Rapelje, Certified Court Reporter and notary public in and for the County of Pulaski, State of Arkansas, duly commissioned and acting, do hereby certify that the above-entitled proceedings were taken by me in Stenotype, and were thereafter reduced to print by means of computer-assisted transcription, and the same truly, and correctly reflects the proceedings had.

WHEREFORE, I have subscribed my signature and affixed my notarial seal as such notary public at the City of Little Rock, County of Pulaski, State of Arkansas, this the 22nd day of January, 2001.

SHARON A. RAPELJE, CCR
NOTARY PUBLIC IN AND FOR
PULASKI COUNTY, ARKANSAS

My Commission Expires:
September 9, 2009

